

03/04/02

Section 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Nolen

§

Group Art Unit: N.A.

§

§

Serial No.: 10/001,896

§

§

Examiner: N.A.

§

Filed: November 19, 2001

§

§

For: Spray Application System

Assistant Commissioner for Patents
Washington, DC 20231

TRANSMITTAL

Sir:

Enclosed for filing in the above-identified application are the following:

- 1) Copy of Notice to File Missing Parts of Nonprovisional Application;
- 2) Inventor Declaration; and
- 3) self-addressed, stamped postcard.

A request to approve drawings changes was also filed January 29, 2002.

It is respectfully requested that the \$370 filing fee initially applied to application serial number 10/007,589 instead be applied to application serial number 10/001,896 or that the \$370 filing fee paid by mistake in the duplicate application be refunded under 37 C.F.R. § 1.26. It is also requested that the duplicate application serial number 10/007,589 be withdrawn or that the duplicate application serial number 10/007,589 be abandoned, so long as such abandonment does not affect application serial number 10/001,896. The duplicate filing arose as a result of the suspension of Express Mail Postal service to the Patent Office, when the U.S. Postal Service refused to accept the Express Mail packet containing the application on November 19, 2001. The application was first submitted by Priority Mail on November 19, 2001 after the Postal Service employee refused to accept the application as Express Mail. A copy of the application, along with a request for the November 19, 2001 filing date was then filed on November 20, 2001. As a result of the November 20, 2001 request, a filing receipt was issued granting the November 19, 2001 filing date. Thereafter, a second serial number and second filing date was accorded to the first copy of the application submitted by Priority Mail on November 19, 2001 after the Postal Service employee refused to accept the application as Express Mail. That packet included a \$370 filing fee and was intended for the application that was entitled to the November 19, 2001 filing date.

It is respectfully submitted that the previously paid \$370 filing fee should be applied to this application and that the balance due should therefore be \$65. Please charge any and all fees due to Deposit Account No. 50-0395. The Commissioner is hereby authorized to credit any refund or overpayment or to charge any fees associated with this application or

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filing, including but not limited to any fees under 37 C.F.R. §§ 1.16 and 1.17, to Deposit Account No. 50-0395. This authorization includes, but is not limited to, the following fees:

- (1) Any additional filing fees under 37 C.F.R. § 1.16, including but not limited to additional filing fees or surcharges; and
- (2) Any patent application processing fees under 37 C.F.R. § 1.17, including but not limited to, petition fees under 37 C.F.R. § 1.17(l) and 1.17(m).

This transmittal sheet is being submitted in duplicate. If you have any questions or comments, please contact me.

Respectfully submitted,



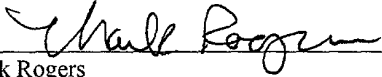
Mark Rogers

Registration No. 34,238

Date: 2-28-02

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EE65237062014. I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on 2-28-02.



Mark Rogers

1701 Centerview, Suite 125
Little Rock, Arkansas 72211
(501) 219-2800

205270-9637007



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/001,896	11/19/2001	Gary Nolen	

CONFIRMATION NO. 1057

FORMALITIES LETTER



OC000000007238212

Speed & Rogers, P.A.
Suite 125
1701 Centerview Drive
Little Rock, AR 72211-4311

Date Mailed: 12/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 435.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.


The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/08/2002 NNDHAMM1 00000020 500395 10001896

01 FC:201 370.00 CH
02 FC:205 65.00 CH

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

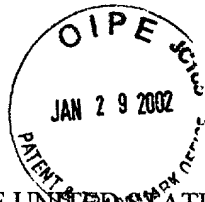
PART 2 - COPY TO BE RETURNED WITH RESPONSE

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ORIGINALLY FILED

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Nolen

Group Art Unit: N.A.

Serial No.: 10/001,896

Examiner: N.A.

Filed: November 19, 2001

For: Spray Application System

Assistant Commissioner for Patents
Washington, DC 20231

REQUEST TO APPROVE DRAWING CHANGES

Sir:

The above-identified application was filed with informal drawings. Enclosed are formal drawings for this application. Inasmuch as the attached drawings are copies of the formal (inked) drawings no red corrections have been included.

In view of the foregoing, it is requested that the enclosed drawings be entered into the application.

Respectfully submitted,

Mark Rogers
Mark Rogers
Registration No. 34,238

Date: 1-8-02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on 1-8-02.

Mark Rogers
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